

EXHIBIT "A"

From: Binita Shah <binita1@optonline.net>
To: <lkohl@chpnet.org>
Date: 3/25/2006 11:45:44 AM
Subject: SHAH Contributors

----- Original Message -----

From: BINITA SHAH
To: binita1@optonline.net
Sent: Friday, March 17, 2006 5:12 PM
Subject: FW: SHAH Contributors

From: "BINITA SHAH" <binita1@hotmail.com>
To: lkohl@chpnet.org
Subject: SHAH Contributors
Date: Fri, 17 Mar 2006 16:57:06 -0500

Dear Dr. Kohl,

The Atlas of Pediatric Emergency Medicine by McGraw-Hill is published.

I think it looks GREAT !!! Of course I may have a bias opinion--but ---I would like to hear your opinion once you have an opportunity to look at it --I would like to get a copy in your hand ASAP.

Please open this attachment, download the Contributor's Agreement form and sign the hard copy. Once you have signed it, please send it to my home address (see below). As soon as this formality is completed, I would be able to get a copy for you from the McGraw-Hill.

My Address:

Binita R. Shah, M.D.

488 Old Courthouse Road

New Hyde Park

New York 11040

I also want to take this opportunity to thank you for all your hard work and your contribution in this Atlas. Without your help, publication of this Atlas would not have been possible.

I truly feel that it's an honor and privilege to have colleagues like you

PS. This Atlas looks as colorful as this e-mail !!!

Your section looks great !!!

Dr. Kohl, please send me your mailing address -where would you like me to send the book

Sincerely,

With RESPECT,

Binita

From: Lewis Kohl
To: anne_sydor@mcgraw-hill.com
Date: 5/29/2007 4:46:02 PM
Subject: Fwd: Re: I need copy of the permissions --

From: Lewis Kohl
To: Sutherland, Paul
Date: 5/22/2007 4:40:08 PM
Subject: Re: chironex at the foot of a bather

Paul,
I just got home from vacation, and was rather startled to see that you are suing me. As I'm sure you recall, although I gladly paid your fee, I literally gave you the release form for you to edit, and you concluded the deal directly with the publisher. I received no compensation for my work on this book chapter (not even the free books I was promised), and have no responsibility for, or control over the actions of the publisher. I find it offensive that the publisher violated your agreement, and I fully support your entitlement to compensation. I would like to discuss the situation with you. Please call me at work, 718-780-4842, or at home in the evening, 914-669-4647. thanks

>>> Paul Sutherland <pasuther@eclipse.net> 11/11/2005 9:30 AM >>>

Hey,
Easier, Can she send another for me to sign ASAP (read: who knows where it is right now). I'll fax back to both of you.

I'm here.

P.
On Nov 11, 2005, at 9:00 AM, Lewis Kohl wrote:
my chapter editor just called me. they can't find your permissions document. I must have a copy of it at home, but if you could find a copy of it and fax it to me at 718-780-4849, that would be great.
thanks

Paul Sutherland <pasuther@eclipse.net> 11/11/05 7:11 AM >>>

Hi,

Thanks. Needed to make sure. Next we'll see if the stock agency notifies me. Do appreciate the heads up. On the credits they make them as small as they cane and as indistinguishable as possible - small I understand but why hide the credit. But take a look. Stephen Frink is in Big Black letters where ever his name is.

Oh, well . Seapics and I will not be together too much longer anyway
- for much of my work anyway.

Enjoy
Paul

On Nov 10, 2005, at 10:35 PM, Lewis Kohl wrote:

You are credited as: Paul Sutherland/Seapics.com. I must have just cut it off on the copy I sent you, but I must say, the credit is not very prominent. I had to look very closely to find it. It's to the inside of the text, just to the right of the Ascend Safely column, in a very light font.

Paul Sutherland <pasuther@eclipse.net> 11/08/05 2:22 PM >>>

Narwhales sound interesting. Love meet to Joran as well. Lets keep in touch. It will depend on the editorial schedule, though, I am afraid. Gotta try and pay the bills.
Thanks for the scan.

Paul

On Nov 8, 2005, at 2:10 PM, Lewis Kohl wrote:

the magazine is still on my counter at home. I'll scan it for you tonight. I still toy with the idea of shooting narwhales and walruses someday if you're interested. My buddy from Antarctica, Joran, runs those trips occasionally.

Paul Sutherland <pasuther@eclipse.net> 11/8/2005 2:01:15 PM >>>

Hey, I meant to write: Do send a book. Boy what one letter will do to you.

I didn't know it had been used. I'll have to look in to it. Do you remember the credit line on the shot. If you have a scanner I'd love you to scan and send me the page at 110 dpi.

I am in good company. Be fun to go shoot together some where.

From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 5/23/2003 12:51:31 PM
Subject: Re: chironex at the foot of a bather

Here you go. Blue Bottle.

From: Binita Shah <binita1@optonline.net>
To: <lkohl@chpnet.org>
Date: 10/31/2005 11:09:59 PM
Subject: Fw: your section

Hi Dr. Kohl,

I think you are going to hate me --but I still need to resolve several issues regarding your section--

I am trying to answer some of the questions raised by you

- a.. You are the solo author for all the things you have written
- b.. Author's name are mentioned in the beginning of the each chapter and in detail for the every entity written by you in the contents
- c.. You did not have Fig. 18 -pressure immobilization technique --when you call me tomorrow, I will fax you your original list of figures and legends and there is not such figure submitted by you so we need to resolve this before I send this to the publisher
- d.. Please tell me how you want to credit the two people who have contributed the photos. Andrea no longer works for McGraw-Hill and I am not sure how they want. Let me know and I will add the details under their photos

Please call me tomorrow --917-395-4036 --we need to resolve this--

Thanks,

Binita

CC: BINITA SHAH <binita1@hotmail.com>

From: Binita Shah <binita1@optonline.net>
To: <lkohl@chpnet.org>
Date: 11/4/2005 12:09:04 PM
Subject: Permission form -for Mr. Sutherland

Hi Dr. Kohl,

Please see the attchaed permission copy. Let Mr. Sutherland sign the copy and send it back to you and me.

Please also let me know ASAP how he wants credit to be given under these figures.

At present you have written: : "Photo courtesy of Paul Sutherland" Dose he need any other line of credit ?

Thanks,
Binita

CC: BINITA SHAH <binita1@hotmail.com>

From: Binita Shah <binita1@optonline.net>
To: <lkohl@chpnet.org>
Date: 11/4/2005 12:16:18 PM
Subject: Permission form for Mr. Roessler

Hi Dr. Kohl,

Please see the attchaed permission copy. Let Mr. Roessler sign the copy and send it back to you and me.

Please also let me know ASAP how he wants credit to be given under these figures.

At present you have written: : "Photo courtesy of Carl Roessler" Dose he need any other line of credit ?

Thanks,
Binita

From: Binita Shah <binita1@optonline.net>
To: Lewis Kohl <LKohl@chpnet.org>
Date: 11/10/2005 10:18:47 PM
Subject: I need copy of the permissions --

Thank you --I took care of all the photos with proper credits

Please let your secretary page me first and then fax me the permissions.
I need to send copies to McGraw-Hill.

Binita

----- Original Message -----

From: Lewis Kohl
To: Binita Shah
Sent: Wednesday, November 09, 2005 5:44 PM
Subject: Re: Important Question --

Hi Binita,
yes, Portuguese Man of War is also Paul Sutherland's, not mine, giving him 3.

>>> Binita Shah <binita1@optonline.net> 11/8/2005 9:45 PM >>>

No problem--I will exactly follow what you have written--

Important question:

How many photos Paul Sutherland has contributed ?

According to your original copy of the manuscript, I see two photos with his name

- 1.. Chironex fleckeri at the foot of a bather and
- 2.. Tentacle prints on the hand of a researcher

I am not sure why Man-of-War or Blue Bottle photo has also his name in the galleys--can you please confirm --do you a copy of the manuscript that you sent to us ?

Is man-of-war your photo or his ?

And two photos from Mr. Carl Roessler (stone fish and Blue ringed octopus)

please help in confirming this ---

----- Original Message -----

From: Lewis Kohl
To: Binita Shah
Sent: Tuesday, November 08, 2005 10:39 AM
Subject: Re: Permission form for Mr. Roessler

Binita,
finally heard from Paul Sutherland. this is how he is to be credited:

Paul Sutherland/ Sutherlandimages.com
thanks

>>> Binita Shah <binita1@optonline.net> 11/4/2005 11:12:44 AM >>>

Hi Dr. Kohl,

Please see the attchaed permission copy. Let Mr. Roessler sign the copy and send it back to you and

me.

Please also let me know ASAP how he wants credit to be given under these figures.

At present you have written: : "Photo courtesy of Carl Roessler" Dose he need any other line of credit
?

Thanks,
Binita

CC: BINITA SHAH <binita1@hotmail.com>

From: Binita Shah <binita1@optonline.net>
To: Lewis Kohl <lkohl@chpnet.org>
Date: 11/10/2005 11:12:39 PM
Subject: Re: I need copy of the permissions --

Unfortunately they can not find it and Andrea has left McGraw-Hill so we will have to get it again--sorry for the extra work--Binita

----- Original Message -----

From: "Lewis Kohl" <lkohl@chpnet.org>
To: <binita1@optonline.net>
Sent: Thursday, November 10, 2005 10:30 PM
Subject: Re: I need copy of the permissions --

> McGraw hill has the permission from Paul Sutherland, but if you need it
> again, I'll ask him.
>
>>>> Binita Shah <binita1@optonline.net> 11/10/05 10:16 PM >>>
> Thank you --I took care of all the photos with proper credits
>
> Please let your secretary page me first and then fax me the permissions.
>
> I need to send copies to McGraw-Hill.
> Binita
> ----- Original Message -----
> From: Lewis Kohl
> To: Binita Shah
> Sent: Wednesday, November 09, 2005 5:44 PM
> Subject: Re: Important Question --
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> Hi Binita,
> yes, Portuguese Man of War is also Paul Sutherland's, not mine, giving
> him 3.
>
> >>> Binita Shah <binita1@optonline.net> 11/8/2005 9:45 PM >>>
>
> No problem--I will exactly follow what you have written--
>
> Important question:
>
> How many photos Paul Sutherland has contributed ?
>
> According to your original copy of the manuscript, I see two photos
> with his name
> 1.. Chironex fleckeri at the foot of a bather and
> 2.. Tentacle prints on the hand of a researcher
> I am not sure why Man-of-War or Blue Bottle photo has also his name in
> the galleys--can you please confirm --do you a copy of the manuscript
> that you sent to us ?
> Is man-of -war your photo or his ?
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> And two photos from Mr. Carl Roessler (stone fish and Blue ringed
> octopus)
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> please help in confirming this ---

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> ----- Original Message -----
> From: Lewis Kohl
> To: Binita Shah
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> Subject: Re: Permission form for Mr. Roessler
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> credited:
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> Paul Sutherland/ Sutherlandimages.com
> thanks
> >>> Binita Shah <binita1@optonline.net> 11/4/2005 11:12:44 AM >>>
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> Hi Dr. Kohl,
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> Please see the attchaed permission copy. Let Mr. Roessler sign the
> copy and send it back to you and me.
> Please also let me know ASAP how he wants credit to be given under
> these figures.
> At present you have written : "Photo courtesy of Carl Roessler"
> Dose he need any other line of credit ?
>
> Thanks,
> Binita
>

CC: BINITA SHAH <binita1@hotmail.com>

From: "BINITA SHAH" <binita1@hotmail.com>
To: <lkohl@chpnet.org>
Date: 3/17/2006 6:02:04 PM
Subject: SHAH Contributors

From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 5/23/2003 1:26:34 PM
Subject: Re: chironex at the foot of a bather

Way too much fun!

Already planning how I am going to tell my wife I am off to Ushaia for a month. We should talk again. I would like to learn a bit more about that process.

My address is

Paul Sutherland
Paul Sutherland Photography LLC
14 Park Place
Princeton, NJ 08542

On Friday, May 23, 2003, at 10:05 US/Pacific, Lewis Kohl wrote:

> Nice talking with you. Here's something for you to daydream
> about. <Mel penguin.jpg>

--

Peace
Best Regards

Paul Sutherland
Paul Sutherland Photography
Princeton, NJ

t. 609.252.9710
f. 609.683.5854
e. pasuther@eclipse.net
www.sutherlandimages.com

From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 5/30/2003 2:45:34 PM
Subject: Re: chironex at the foot of a bather

Hi Lewis,

Good to hear. I am afraid the normal protocol in situations like this is that I wait for the check to arrive before I send out the CD. You are right there isn't much you are supposed to be able to do with the images without my permission but that doesn't stop a lot of people, your colleagues using images off the internet to illustrate their chapters in the book are a case in point. No reflection on you but I have been burnt before so need to protect the business interests.

With regards to the chromes, what I believe I said and suggested was that I was going to make sure the files would be large enough for you to make chromes from the TIFF files (the files would be smaller if they were to be just 1/4 page @ 300 dpi for the book). This will enable you to take the files to your favorite lab (any lab can do it these days) and have them make digital slides. They shouldn't cost you more than \$5-7 bucks ea.

Hope this clears things up. Say just heard check out the cover of US New and World Report - Monday!

On Friday, May 30, 2003, at 09:09 US/Pacific, Lewis Kohl wrote:

> Hey Paul,
> I sent the check out yesterday. I didn't realize you were waiting to
> receive it. There's not much I can do with the images without your
> permission! You had also mentioned you were going to include
> chromes. I need these for my lectures. I'm still doing the marine
> envenomation lecture the old fashioned way, and I don't have any way
> to convert digital files to slides.
> I'm happy to talk about diving in Antarctica any time you like.
> Regards
> Lew
>
> >>> Paul Sutherland <pasuther@eclipse.net> 05/30/03 10:05AM >>>
> Hi Lewis,
>
> Wanted to make sure I understood the arrangements - you are going to
> send me a check and I'll get a CD with the three shots right out in the
> mail. Where are you in that process? Don't want you to miss your
> deadline.
>
> If you would like to talk again don't hesitate to give me a call.
> --
> Peace
> Best Regards
>
> Paul Sutherland
> Paul Sutherland Photography
> Princeton, NJ
>

> t. 609.252.9710
> f. 609.683.5854
> e. pasuther@eclipse.net
> www.sutherlandimages.com

>

>

--

Peace

Best Regards

Paul Sutherland
Paul Sutherland Photography
Princeton, NJ

t. 609.252.9710
f. 609.683.5854
e. pasuther@eclipse.net
www.sutherlandimages.com

From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 6/1/2003 11:25:42 PM
Subject: Re: chironex at the foot of a bather

Hi Lewis,

Thanks!

Paranoia to one is just good business practice to another. One of the world's best read magazines down loaded an image from my stock site on Dec. 17, I am still waiting to be paid. My agreement with them is that I am paid when they download the image....good business practice.

About images - go look at a National Geographic - thats 300 dpi (ppi) - pixels not ink jet drops. They use my images at 300 dpi and print straight to the magazine. Most books do the same or less.

When you take a tiff file to a lab to output a digital chrome they will not (at least none of the labs I have ever used) accept anything more than a 10mb file - anything larger and there is too much data for them and wastes their time. They add a premium if they have re-size the image or send it back to you for re-sizing. Look in photoshop at what how many MB a 5X7 inch image is at 300 DPI - 9 odd MB. If you scan at 1000 dpi AND output at 5X7 so you have the file you will need for the book at 1/4 page to give you plenty of data, the result will be a file off the scale (100.1 MB), the machine wont even handle it. You are wasting time and space and energy. In my lasersoft scanning software a 5 X 7 output at 1000 dpi is a 96.2 MB file - you can't even think about sending that to the lab.

Also and more to the point, in order to get you dupes I have to have the dupes made up myself and frankly there isn't enough money in the five hundred you are paying me to do that. That price is way below my going rate for the usage you requested and if I invest a bunch of time in the project I will be paying you to use my slides. Just doesn't make any sense. Look, I dupe slides at 300 dpi with files between 9 and 10 MB and the slides look great. I send them off to magazines and international photography contests all the time and I have never had a single complaint. I have had one or two comments about my color management but that was magazine snobbery - they just wanted the originals but wouldn't take responsibility for the them so they insist I send dupes then complain I can't meet their standards - problem is they only complain about one slide out of sixty when all the slides have been dupes up at the same time by the same lab etc...

On the photo credit issue - that is part of the deal both for the book and your lectures. Again, standard business practices in the game. In fact, the license agreement will state that that if the book doesn't properly credit me as I describe in our agreement I can bill you twice my normal usage. This just means it is your responsibility to make sure the publishers properly credit the photographs you use.

Give it some thought and get back to me. Let me know whether you would like to proceed. If you do want to go ahead as soon as the check arrives I will schedule some time to pull together the files and burn a

CD with three 5 X 7 @ 300dpi shots on it. These will be sized correctly for you make slides(and have plenty of resolution to do so) and also have plenty of physical size for use as 1/4 page @ 300 dpi in the emergency medicine book chapter you are authoring. I am sure you have no need to cheat me out of my work I just need to make sure I operate my business as effectively as I possibly can

Thanks. Look forward to hear back from you very soon.

Paul

On Friday, May 30, 2003, at 04:58 PM, Lewis Kohl wrote:

> Paul,
> Congratulations on the cover!! I'll definitely pick one up.
> its okay that you're paranoid. I'm sure you'll have the check by
> Monday. It probably won't even bounce.
> Back to the images though, 300 dpi is pretty low res. On my printer
> there's a distinct difference in quality when I print scans below 600
> dpi. Also, I can't see a 300 dpi scan making a very high quality
> chrome. When I scan chromes I usually make a 1000 dpi scan. I'd much
> prefer dupes if you have them. I'm willing to sign any sort of
> agreement, that will guarantee I don't use your images for
> illegitimate purposes. I have a real job, and don't need, or want to
> steal anyone's work!! I also intend to make this the last book
> chapter I ever write!!! All pain, no gain. I'm just doing a
> desperate friend a favor. I'm also quite serious when I say I'll
> always give you credit on the projected images when I lecture. By the
> way, I don't get paid to lecture, which seems to be a repetitive theme
> for me!
> Lew

Built on an Apple G4 Titanium Powerbook

--

Peace

Best Regards

Paul Sutherland
Paul Sutherland Photography
Princeton, NJ

t. 609.252.9710
f. 609.683.5854
e. pasuther@eclipse.net
www.sutherlandimages.com

From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 6/9/2003 10:46:58 AM
Subject: Re: chironex at the foot of a bather

Hello Lewis,

Drawing up the licensing terms and realized I needed the name and address of the book publisher for the term sheet. They are just included with you as a matter of course. That way if the book is resounding success they will know to contact me to extend their rights to the images.

I am shooting to get the CD in to the mail to you this PM.

On Tuesday, Jun 3, 2003, at 13:29 America/New_York, Lewis Kohl wrote:

> OK Paul, I will bow to your expertise. Please proceed when you get
> the check. Thanks

Built on an Apple G4 Titanium Powerbook

--

Peace
Best Regards

Paul Sutherland
Paul Sutherland Photography
Princeton, NJ

t. 609.252.9710
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e. pasuther@eclipse.net
www.sutherlandimages.com

From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 7/25/2003 7:40:30 AM
Subject: Re: This may interest you!

Hi Lewis,

I saw this and thought of you.

Check out this link

<http://www.cnn.com/2003/TECH/science/07/24/seal.killing.reut/index.html>

--

Peace
Best Regards

Paul Sutherland
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Princeton, NJ

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From: Paul Sutherland <pasuther@eclipse.net>
To: "Lewis Kohl" <lkohl@chpnet.org>
Date: 7/25/2003 2:43:54 PM
Subject: Re: This may interest you!

Sounds like I need to get to know this guy. Please do get me his data.

Thx.

On Friday, Jul 25, 2003, at 13:10 US/Eastern, Lewis Kohl wrote:

> Guron ... I have his name and contact info at home. I'll get it for
> you. He has extraordinary leopard seal video (as well as walrus and
> narwhale). He spent so much time filming leopards hunting seals, that
> he had one female begin to bring him captured penguins as gifts! He
> also makes beautiful dry suits.

>
> >>> Paul Sutherland <pasuther@eclipse.net> 07/25/03 01:03PM >>>

> Say,

> For my files who is that fellow you went to Antarctica with - the
> european photog.?

> On Friday, Jul 25, 2003, at 12:25 US/Eastern, Lewis Kohl wrote:

>

> > thanks. I had just seen this. I wonder if the seal was just playing
> > when it pulled her under, vs an outright, tearing her apart attack?

> >

> > >>> Paul Sutherland <pasuther@eclipse.net> 07/25/03 07:40AM >>>

> > Hi Lewis,

> >

> > I saw this and thought of you.

> >

> > Check out this link

> >

> >

> > <http://www.cnn.com/2003/TECH/science/07/24/seal.killing.reut/> index.html

> >

> > --

> > Peace

> > Best Regards

> >

> > Paul Sutherland

> > Paul Sutherland Photography

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